

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicants : Liu and Liu  
U.S. Serial No. : 10/593,701  
Confirmation No. : 3093  
Filed : September 19, 2006  
Examiner : Hao D. Mai  
Art Unit : 3732  
For : FLEXIBLE DENTAL FLOSS APPLICATOR AND  
INTERDENTAL GUM STIMULATOR

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November 20, 2009

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

A Notification of Non-Compliant Appeal Brief for the above-referenced application was mailed November 16, 2009. The time period for responding to the Notification is one month or thirty days from the mailing date of the Notification, whichever is longer. Hence, an amended Appeal Brief is now due on December 16, 2009. Accordingly, this Appeal Brief is being timely filed. If any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-1891.

The examiner contends that the summary of claimed subject matter fails to separately refer each independent claim (22 and 31) to the specification by page and line number, and the independent claims should not be grouped together. Applicants respectfully traverse.

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Applicants submit that in the appeal brief filed October 26, 2009, the summary of claimed subject matter has separately refer each independent claim (22 and 31) to the specification by figure numbers, and the independent claims 22 and 31 were not grouped together (*see* second and third paragraphs under the summary of claimed subject matter).

The examiner indicates that Applicants may submit only the defective section of the brief. Accordingly, Applicants submit herein only the section on the "Summary of Claimed Subject Matter", wherein each independent claim (22 and 31) has been separately referred to the specification by page and line number.

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#### **V. SUMMARY OF CLAIMED SUBJECT MATTER**

Claim 22 is drawn to a dental hygiene apparatus, comprising: (a) an elongated handling means; (b) a teeth-cleaning means comprising arms that secure one or more lengths of interdental material, wherein the interdental material is oriented longitudinally as related to the longitudinal axis of the handling means; and (c) a flexible means between the teeth-cleaning means and the handling means, wherein the flexible means is integral with the teeth-cleaning means and the handling means and the flexible means is pliable (*see* page 13, lines 1-19; page 14, line 15 to page 16, line 6; and Figures 1-3, 11).

Claim 31 is drawn to a dental hygiene apparatus, comprising: (a) an elongated handle; (b) a cleaning head comprising two arms that secure one or more lengths of interdental material, wherein the interdental material is oriented longitudinally as related to the longitudinal axis of the handle; and (c) a flexible elbow between the cleaning head and the handle, wherein the flexible elbow is integral with the cleaning head and the handle and the flexible elbow is pliable (*see* page 13, lines 1-19; page 14, line 15 to page 16, line 6; and Figures 1-3, 11).

Respectfully submitted,

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